

UNITED STATES DISTRICT COURT

United States of America

v.

MARK WILLIAM ANTEN,

Defendant.

for the

Central District of California

FILED
CLERK, U.S. DISTRICT COURT

12/20/2023

CENTRAL DISTRICT OF CALIFORNIA
BY: jm DEPUTY

Case No. 2:23-mj-06546-DUTY

**CRIMINAL COMPLAINT BY TELEPHONE
OR OTHER RELIABLE ELECTRONIC MEANS**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about December 5 and 6, 2023, in the county of Los Angeles in the Central District of California, the defendant violated:

Code Section
18 USC 875(c)*Offense Description*
Threat by Interstate Communications

This criminal complaint is based on these facts:

Please see attached affidavit.

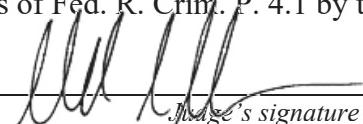
Continued on the attached sheet.

/s/ Gary Wallace
Complainant's signature

Gary Wallace, SA FBI
Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone.

Date: 12/20/2023


Judge's signature

City and state: Los Angeles, California

Hon. Michael Wilner
Printed name and title

AFFIDAVIT

I, Gary Wallace, being duly sworn, declare and state as follows:

I. PURPOSE OF AFFIDAVIT

1. This affidavit is made in support of a criminal complaint and arrest warrant for MARK WILLIAM ANTEN ("ANTEN") for a violation of Title 18, United States Code, Section 875(c) (Threat by Interstate Communications).

2. This affidavit is also made in support of an application for a warrant to search 8526 Cayuga Avenue, Sun Valley, California 91352 (the "SUBJECT PREMISES") as described more fully in Attachment A.

3. The requested search warrant seeks authorization to seize evidence, fruits, or instrumentalities of violations of Title 18, United States Code, Section 875(c) (Threat by Interstate Communications) and Title 18, United States Code, Section 922(g) (8) (Prohibited Person in Possession of Firearm and/or Ammunition) (the "Subject Offenses"), as described more fully in Attachment B. Attachments A and B are incorporated herein by reference.

4. The facts set forth in this affidavit are based upon my personal observations, my training and experience, and information obtained from various law enforcement personnel and witnesses. This affidavit is intended to show merely that there

is sufficient probable cause for the requested complaint, arrest warrant, and search warrant, and does not purport to set forth all my knowledge of or investigation into this matter. Unless specifically indicated otherwise, all conversations and statements described in this affidavit are related in substance and in part only, and all dates and times are approximate.

II. BACKGROUND OF SPECIAL AGENT GARY WALLACE

5. I am a Special Agent ("SA") with the Federal Bureau of Investigation ("FBI") and have been so employed since May 2017. I am presently assigned to the Los Angeles Field Office, where I am responsible for investigating violent crimes, including bank and armored car robberies, murder, extortion, interstate threats, kidnappings, and other violations of federal statutes. As a Special Agent, I have received extensive training regarding federal criminal law. I completed 21 weeks of training at the FBI Academy located at Quantico, Virginia, where I received training in federal interstate communication laws, identification and investigation of persons engaging in interstate threatening communications, and various surveillance and investigative techniques related to violation of federal law, including interstate threats and other violent crimes. I regularly refer to these laws during the course of my duties and have written and participated in the execution of several state

and federal search and arrest warrants in violation of these laws.

6. During the course of my employment with the FBI, I have participated in investigations that employed various investigative techniques, including witness interviews, review of video surveillance, and collection of physical evidence. Through my training, experience, and interaction with other law enforcement officers, I am familiar with the methods employed by persons threatening others via interstate communications. I am also familiar with how the senders of such threats use digital devices to facilitate and conceal their crimes.

III. SUMMARY OF PROBABLE CAUSE

7. Since July 2023, ANTEN has sent numerous threatening communications to the FBI, including the email communications described below that reference bombing the FBI headquarters in Los Angeles. Specifically, on November 2, 2023, ANTEN emailed FBI agents saying he “embrace[d]” that he was voted most likely in his graduating class to become the next Unabomber.¹ In this email, ANTEN listed similarities between himself and the

¹ Theodore Kaczynski, commonly known as “The Unabomber,” created numerous sophisticated bombs over almost 20 years that killed three people and injured nearly two dozen more. His identity was ultimately determined after he sent a manifesto to law enforcement claiming to explain his motives and views. Kaczynski served the majority of his eight life sentences at ADX Florence, a supermax prison in Florence, Colorado. As discussed below, ANTEN’s communications to the FBI make multiple references to “SuperMax.”

Unabomber, proclaimed that he was working on a manifesto, and signed his email "Unabomber."

8. On November 20, 2023, two FBI Task Force Officers ("TFOs") interviewed ANTEN in front of his residence, SUBJECT PREMISES. During the interview, ANTEN admitted to sending the previous communications. The TFOs admonished ANTEN to stop contacting agents. A TFO provided an email address to which ANTEN should direct all his communications. ANTEN said he may not be able to stop sending messages. Despite the admonition, ANTEN's threatening conduct escalated.

9. On December 5, 2023, for example, ANTEN sent a string of threatening emails to FBI agents. In one email with the subject "It's Only a Matter of Time," ANTEN closed the email with, "I don't care about death or SuperMax." In another email with the subject "Poor Scared Agent [Last Name]," ANTEN said, "I AM THE UNABOMBER" and "I WILL UNABOMB THE LOS ANGELES FBI HQ." In this email, ANTEN said, "I am supposed to be in Beverly Hills tomorrow for a meeting. I will swing by your office if there is time." ANTEN ended his email with, "[t]his ain't over," and signed it "UNABOMBER."

10. On December 6, 2023, shortly after midnight, ANTEN emailed agents, "I can go on a mass murder spree. In fact, it would be very explainable by your actions." He closed this email with, "You ain't getting away with this one," and signed it

"SuperMax or Death." ANTEN then sent another email that said, "My Google Search," which included an image depicting the results of a Google internet search for "how to make a dirty bomb."

11. On December 6, 2023, ANTEN went to the FBI Los Angeles Headquarters building. Later that day, ANTEN emailed agents confirmation that he went to the FBI Los Angeles Headquarters building and will continue to do so. Surveillance footage confirmed his presence.

12. The SUBJECT PREMISES is ANTEN's residence.

IV. STATEMENT OF PROBABLE CAUSE

13. Based on my conversations with other law enforcement agents, and review of law enforcement reports, evidence and surveillance video, I am aware of the following:

A. ANTEN Starts Repeatedly Contacting FBI Agents

14. Beginning in or around July 2023, ANTEN started sending numerous communications to FBI agents. These communications include emails, voicemails, and text messages.

15. On or around the morning of July 8, 2023, a person, who identified himself as "Mark Anten" and provided a call back number, called the FBI Los Angeles operator, and said he knew a specific FBI agent and that he wanted to be connected to that agent's phone. The operator notified the agent, who requested

that the operator not connect ANTEN or release any information about the agent.

16. Shortly after ANTEN's call, the agent received an email from ANTEN titled, "Today is the Day." ANTEN said, "So it would appear the fates have brought us to this moment in time. I will meet you in person in Los Angeles today or tomorrow only. Things will change on Monday." The agent did not respond to the email or make any contact with ANTEN.

17. On or around August 31, 2023, the same agent received an email from ANTEN, which included ANTEN's first name and a phone number in the signature block. This phone number is the same number that ANTEN gave the FBI Los Angeles operator as his call back number.

B. ANTEN Traveled to the Los Angeles FBI Headquarters Building on October 13, 2023

18. I have reviewed surveillance video and reports from the Los Angeles FBI Headquarters building and learned the following:

a. On or around October 13, 2023, ANTEN went to the Los Angeles FBI Headquarters building and requested to speak with an FBI special agent to file a complaint or allegation. ANTEN was interviewed and left. Due to the lack of a federal criminal allegation, the FBI did not open an investigation based on ANTEN's allegation.

b. On or around October 27, 2023, ANTEN emailed FBI agents, "I know you are aware that I went to your office looking for you last week." The email further stated, "I have decided I will going [sic] to your office weekly to conduct various government business. Scope the premises." The email included an image of a man wearing a badge that stated, "We Are The People". The man appeared to be the main character Travis Bickle from the movie "Taxi Driver."²

C. ANTEN Begins Referring to Himself as "The Unabomber"

19. On or about November 2, 2023, ANTEN sent an email with the subject "FBI ALERT - NAME CHANGE" to several FBI agents. ANTEN opened this email with saying he "was voted most likely to become the next Unabomber after graduate school. The person who ran the poll was so alarmed at printing the results that she put a disclaimer asking me not to Unabomb her." ANTEN continued, "most people seeing that in print would be mortified. I embrace it."

20. In this email, ANTEN listed as "Fun Facts" the following similarities between himself and the Unabomber: "He taught at Berkeley, I went to Berkeley. We both obviously love manifestos. I am working on my latest and greatest. Extremely similar views on technology. Both quirky and harmless before the

² The plot of this film focuses on Travis Bickle's deteriorating mental health, and ultimate purchase of firearms and killing of multiple individuals.

FBI/CIA got ahold of us. Do a little MK Ultra and boom - you created your own domestic terrorists." ANTEN closed this email by saying "I have not started any campaign yet. I am in the pre-research phase. Go update your clown spy reports." ANTEN signed this email, "Unabomber."

21. Later that evening on November 2, 2023, ANTEN emailed another FBI agent and said, "You are playing games with the wrong game player. You are dangerously close to being added to the list." ANTEN further stated, "Trust me, you don't want to be on the list. FBI Agents on the list receive . . . Threats of . . . imprisonment and death." ANTEN signed the email, "The Unabomber."

22. On or around November 3, 2023, ANTEN emailed several FBI agents acknowledging that he had mistakenly emailed the wrong agent. He explained, "YOU have made me so INSANE that I am sending threatening emails to the wrong FBI [Agent Name] and signing as the Unabomber." "I told him if he even thinks about reporting me to his superiors, he will rue the day and I will personally go to DC and find him."

23. On or around November 4, 2023, ANTEN emailed several FBI agents, "You literally picked the person who was voted most likely in his graduating class to become the next Unabomber," and signed the email, "-U."

D. FBI Interviews and Admonishes ANTEN on November 20, 2023

24. On November 20, 2023, two FBI Los Angeles TFOs interviewed ANTEN in front of his residence located at 8526 Cayuga Avenue, Sun Valley, California 91352 (the "SUBJECT PREMISES").³ The TFOs interviewed ANTEN about his communications to FBI agents, which he admitted sending. ANTEN admitted to sending "threatening" messages to get a reaction from the FBI but said that he would never harm anyone physically. ANTEN said he wanted revenge against the FBI, but not through a violent act.

25. The TFOs admonished ANTEN to stop contacting FBI agents and to seek legal counsel if he believes that there was any kind of wrongdoing on behalf of the FBI. One TFO provided an email address to which ANTEN should send all communications. ANTEN said that he may not be able to stop sending messages.

³ ANTEN's California Department of Motor Vehicle records list his address as the Subject Premises. Additionally, the registration records for a vehicle owned by ANTEN list the vehicle's address as the Subject Premises.

On or about December 7, 2023, AT&T provided records for a cell phone number known to be used by ANTEN. The subscriber information identified ANTEN as the subscriber and the Subject Premises as the Billing Address. Additionally, the over-night location information consistently placed the cell phone device in the vicinity of the Subject Premises.

E. ANTEN Threatens to Bomb FBI Los Angeles Headquarters Building on December 5, 2023

26. Beginning or around the evening of December 5, 2023, and continuing the next morning, ANTEN sent several threatening emails to FBI agents:

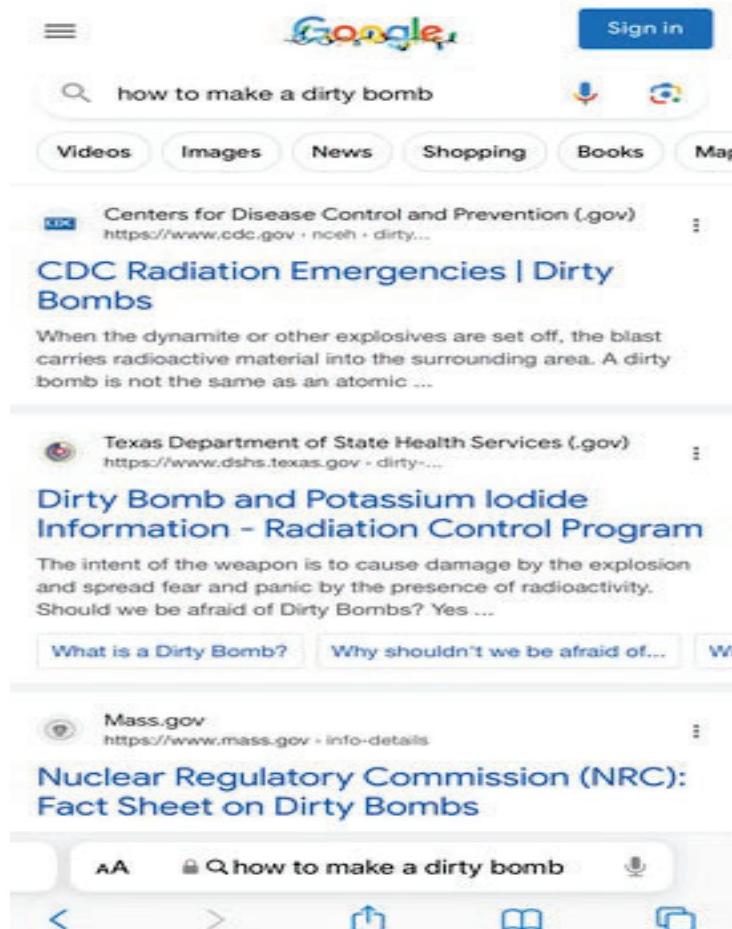
a. In one email, titled "Poor Scared Agent [Last Name]," ANTEN said, "I AM THE UNABOMBER," and threatened, "I WILL UNABOMB THE LOS ANGELES FBI HQ." ANTEN further said, "I am supposed to be in Beverly Hills tomorrow for a meeting. I will swing by your office if there is time." ANTEN closed the email, "This ain't over" and signed it, "UNABOMBER."

b. In several subsequent emails titled "Re: Poor Scared Agent [Last Name]," ANTEN said, "I'll meet you at the FBI Building tomorrow," he included a picture titled, "UNABOMBER MANIFESTO," that contained a law enforcement drawing of The Unabomber and Kaczynski's name, and ANTEN said, "See you tomorrow for lunch," and included a picture of a U.S. Postal Inspection Service's 1987 wanted poster for The Unabomber.

c. In an email on or around December 6, 2023, shortly after midnight, ANTEN said, "I can go on a mass murder spree. In fact, it would be very explainable by your actions." ANTEN closed the email, "SuperMax or Death."

27. Around this time, ANTEN sent another email that said, "My Google Search," and which included the following image

depicting the results of a Google search for "how to make a dirty bomb:"



F. ANTEN Goes to FBI Los Angeles Headquarters Building on December 6, 2023

28. On the afternoon of December 6, 2023, ANTEN emailed agents, "I went to YOUR work." ANTEN included pictures of himself near the FBI Los Angeles Headquarters building. He was wearing a light-colored shirt and was with a small dark-colored dog, near the FBI Los Angeles Headquarters building.

29. I have reviewed surveillance video footage from the FBI Los Angeles Headquarters building for December 6, 2023.

From the footage, I observed that at approximately 12:45 p.m., a man wearing a light-colored shirt with a small dark-colored dog walked from the building's public parking lot into the courtyard of the FBI Los Angeles Headquarters building. The man was in the courtyard for several minutes before leaving.

30. On or about December 10, 2023, ANTEN emailed several FBI agents "Hi Los Angeles FBI . . . I am extremely comfortable discussing weapon topics." The subject of the email was "KGB - Weapons."

G. ANTEN's Email Communications Are Interstate Communications

31. I have contacted the FBI Los Angeles Headquarters Information Technology department and learned that the FBI's email servers are not located in California.

H. ANTEN's Background and Law Enforcement Contacts

32. I have reviewed ANTEN's California Department of Motor Vehicle records and criminal history records, and I learned the following:

a. ANTEN does not own any firearms legally registered in California.

b. A permanent restraining order, issued on June 4, 2019, in California, named ANTEN as the restrained person and a woman as the protected person. As a result, and in accordance with 18 U.S.C. § 922(g)(8), ANTEN is prohibited from receiving or possessing a firearm and/or ammunition.

33. On December 7, 2023, FBI agents interviewed a witness with knowledge of ANTEN. I have reviewed the interview report and learned the following:

a. Starting around 2016, ANTEN began emotionally abusing Individual 1 and Individual 1 feared that it could escalate to physical abuse. Around this time, ANTEN began using cocaine and possibly other illegal drugs.

b. During his relationship with Individual 1, ANTEN showed an interest in The Unabomber.

c. In or around 2017, ANTEN made concerning Facebook posts that he was obtaining multiple firearms.

d. Subsequently, Individual 1 obtained, among other things, a permanent restraining order against ANTEN, which I understand to still be in effect.

e. In 2017, ANTEN violated the permanent restraining order. ANTEN harassed Individual 1 at her work. Eventually, ANTEN began to comply with the restraining order.

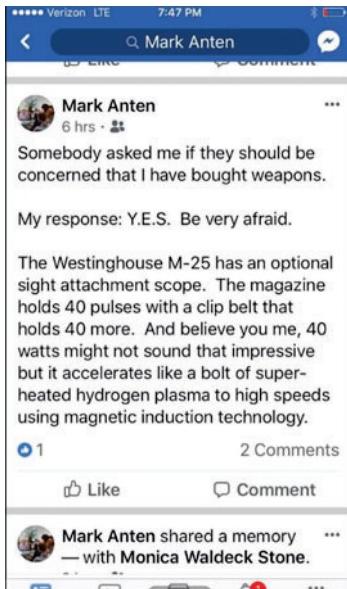
34. I have reviewed ANTEN's Facebook posts and learned the following:

a. ANTEN used the display name "Mark Anten."

b. In one post, ANTEN said, "Just bought my first guns. AR-180 Assault rifle with cope, Colt K-Model .45 ACP, a Smith and Wesson .38 four-inch, a Beretta 225 ACP., Remington

1100 Auto-loader." In a comment on that same post, ANTEN said, "And my enemies better be wary."

c. In another post, ANTEN said, "Somebody asked if they should be concerned that I have bought weapons. My response: Y.E.S. Be very afraid."



V. TRAINING AND EXPERIENCE ON FIREARMS OFFENSES

1. From my training, personal experience, and the collective experiences related to me by other law enforcement officers who conduct who conduct firearms investigations, I am aware of the following:

a. Persons who possess, purchase, or sell firearms generally maintain records of their firearm transactions as items of value and usually keep them in their residence, or in places that are readily accessible, and under their physical control, such as in their digital devices. It has been my

experience that prohibited individuals who own firearms illegally will keep the contact information of the individual who is supplying firearms to prohibited individuals or other individuals involved in criminal activities for future purchases or referrals. Such information is also kept on digital devices.

b. Many people also keep mementos of their firearms, including digital photographs or recordings of themselves possessing or using firearms on their digital devices. These photographs and recordings are often shared via social media, text messages, and over text messaging applications. Those who illegally possess firearms often sell their firearms and purchase firearms. Correspondence between persons buying and selling firearms often occurs over phone calls, e-mail, text message, and social media message to and from smartphones, laptops, or other digital devices. This includes sending photos of the firearm between the seller and the buyer, as well as negotiation of price. In my experience, individuals who engage in street sales of firearms frequently use phone calls, e-mail, and text messages to communicate with each other regarding firearms that they sell or offer for sale. In addition, it is common for individuals engaging in the unlawful possession of firearms to have photographs of firearms they or other individuals working with them possess on their cellular phones and other digital devices as they frequently send these photos

to each other to boast of their firearms possession and/or to facilitate sales or transfers of firearms.

VI. TRAINING AND EXPERIENCE ON DIGITAL DEVICES

2. Based on my training, experience, and information from those involved in the forensic examination of digital devices, I know that the following electronic evidence, *inter alia*, is often retrievable from digital devices:

a. Forensic methods may uncover electronic files or remnants of such files months or even years after the files have been downloaded, deleted, or viewed via the Internet. Normally, when a person deletes a file on a computer, the data contained in the file does not disappear; rather, the data remain on the hard drive until overwritten by new data, which may only occur after a long period of time. Similarly, files viewed on the Internet are often automatically downloaded into a temporary directory or cache that are only overwritten as they are replaced with more recently downloaded or viewed content and may also be recoverable months or years later.

b. Digital devices often contain electronic evidence related to a crime, the device's user, or the existence of evidence in other locations, such as, how the device has been used, what it has been used for, who has used it, and who has been responsible for creating or maintaining records, documents, programs, applications, and materials on the device. That

evidence is often stored in logs and other artifacts that are not kept in places where the user stores files, and in places where the user may be unaware of them. For example, recoverable data can include evidence of deleted or edited files; recently used tasks and processes; online nicknames and passwords in the form of configuration data stored by browser, e-mail, and chat programs; attachment of other devices; times the device was in use; and file creation dates and sequence.

c. The absence of data on a digital device may be evidence of how the device was used, what it was used for, and who used it. For example, showing the absence of certain software on a device may be necessary to rebut a claim that the device was being controlled remotely by such software.

d. Digital device users can also attempt to conceal data by using encryption, steganography, or by using misleading filenames and extensions. Digital devices may also contain "booby traps" that destroy or alter data if certain procedures are not scrupulously followed. Law enforcement continuously develops and acquires new methods of decryption, even for devices or data that cannot currently be decrypted.

2. Based on my training, experience, and information from those involved in the forensic examination of digital devices, I know that it can take a substantial period of time to search a digital device for many reasons, including the following:

a. Digital data are particularly vulnerable to inadvertent or intentional modification or destruction. Thus, often a controlled environment with specially trained personnel may be necessary to maintain the integrity of and to conduct a complete and accurate analysis of data on digital devices, which may take substantial time, particularly as to the categories of electronic evidence referenced above.

b. Digital devices capable of storing multiple gigabytes are now commonplace. As an example of the amount of data this equates to, one gigabyte can store close to 19,000 average file size (300kb) Word documents, or 614 photos with an average size of 1.5MB.

VII. CONCLUSION

3. For all the reasons described above, there is probable cause to believe that ANTEN violated 18 U.S.C. § 875 (Threats by Interstate Communications). There is also probable cause that the items to be seized described in Attachment B will be found in a search of the SUBJECT PREMISES described in Attachment A.

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone on this 20 day of December, 2023.



THE HONORABLE MICHAEL WILNER
UNITED STATES MAGISTRATE JUDGE